RESPONSE AND REMARKS

CLAIM REJECTIONS UNDER SECTION 103

In the Office Action, Claims 1-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koenck et al. in view of "How Computers Work".

In the Office Action, Claims 7-11 and 13-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koenck et al.

In rejecting Claims 1-5, 7-11 and 13-18 under §103(a), the Office Action states that "Koenck et al. shows all of the limitations of the claims except for specifying receiving configuration data and exchanging other communication data from a peripheral piece of equipment (specifically, a digital scale)." _Office Action_, Page 2, paragraph 3.

In rejecting Claims 1-5, 7-11 and 13-18 under §103(a), the Office Action states that "'How Computers Work' teaches, pages 214 and 215, how computer ports communicate with peripheral equipment, including receiving configuration data and exchanging other communication data from a peripheral piece of equipment in order to be able to work together. See step #8 of p. 215 of 'How Computers Work'". _Office Action_, page 3, paragraph 1. Further, the Office Action states that, "[b]ased on the teaching of 'How Computers Work', it would have been obvious to one of ordinary skill in the art, at the time of the invention was made, to modify the Koenck computer system to further specify how communication works in its computer system in order to better show how the parts of the computer system work together." _Office Action_, page 3, paragraph 2.

Although not expressly cited as a reference on which the rejections are based, the Office Action also relies on Underwood (U.S. Patent No. 6,523,027; "_Underwood_"). Specifically, _Underwood_ was relied upon in the Office Action as teaching "...a web-base[d] e-commerce architecture. From column 309, lines 20-25, 'Today's internetwo[r]king environment requires connections from the corporate network to a variety of resources. These include clients and partners, vendors and suppliers, the

Internet and remote users, just to name a few. This interconnectivity leads to complex security issues that need to be addressed.'" *Office Action*, p. 5, ¶3.

In the Office Action, the Examiner concluded that "[b]ased on the teaching of Underwood, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Koenck communication system to incorporate a web-based architecture (includes browser software) in order to improve security between component resources of the system." *Office Action*, p. 5, ¶4.

REMARKS REGARDING THE SECTION 103(a) REJECTIONS

The rejections under Section 103(a) have been carefully considered. Claims 1, 7, and 13 have been amended to more distinctly claim the claimed invention. Claims 2 and 4 have been cancelled. Claims 6, 12, and 18 were previously cancelled.

For the reasons described further below, it is respectfully submitted that the cited references do not disclose, anticipate, teach or suggest all of the limitations of the Claims as amended.

It is respectfully asserted that the cited references do not disclose, anticipate, teach or suggest all of the limitations of, for example, amended Claim 1, which is directed to a shipping management computer system that is programmed to, among other things:

> send a first set of executable computer program instructions, according to information about the make and model of the first digital scale, to the first remote user client computer device, wherein the first set of executable computer program instructions is adapted to:
> 1) determine, according to the first digital scale configuration input, an at least one weight measurement instruction for instructing the first digital scale to measure the first weight of the first parcel, and
> 2) send the at least one weight measurement instruction to the first digital scale instructing the first digital scale to measure the first weight of the first parcel;

It is respectfully submitted that, for the reasons given below, _Koenck_, cited in the Office Action as the basis for rejecting the Claims as obvious, does not disclose, anticipate, teach or suggest the above-recited limitations of amended Claim 1.

As compared to _Koenck_, it is respectfully submitted that various embodiments of the limitations recited by the amended Claims would be useful for enabling a web-based, Internet-enabled shipping management computer system that is accessed via browser software (or other software adapted for retrieving and rendering hyper-media content) executing on client computers to determine, or otherwise obtain, information necessary for communicating with weighing devices peripheral to those client computers, even when those peripheral weighing devices may vary as to make and model, and therefore may vary as to communication requirements. _See also, Smith Declaration_, ¶¶8-17

As compared to the usefulness of various embodiments of the amended Claims, it is respectfully submitted that, as explained in the _Smith Declaration_, there is "… no indication in _Koenck_ that there is any need for the _Koenck_ host computer 11, or any particular _Koenck_ LAN controller 18, to be programmed, or otherwise configured, to communicate with scales 36 of different makes and/or models that would "transduce" weight into digital binary data signals in a way that differs from the way in which any other scale 36 would transduce weight." _Smith Declaration_, ¶22; _see also, Smith Declaration_, ¶¶18-21.

Therefore, it is respectfully submitted that, as explained in the _Smith Declaration_, there is "… no indication in _Koenck_ that either the _Koenck_ host computer 11, or any particular _Koenck_ LAN controller 18, is programmed, or otherwise configured, to determine, or otherwise obtain, information about scales 36 that are peripheral to any LAN controller 18 to facilitate communications with, and processing of data from, scales 36." _Smith Declaration_, ¶23.

Accordingly, it is respectfully submitted that there is no disclosure in _Koenck_, or for that matter, in the other references of record, of a computer system that is programmed to, among other things, "… send a first set of executable computer program instructions … to [a] remote user client computer device …" or "…determine,

according to the first digital scale configuration input, an at least one weight measurement instruction for instructing the first digital scale to measure the first weight of the first parcel ..." as recited by amended Claim 1.

As compared to the cited references, it is respectfully submitted that, as explained in the *Smith Declaration*, the above-recited limitations of Claim 1 contribute to allowing client users the ability to use digital scales, of one of various makes and models of the client user's selection, configured with the client user's client computer, with which to weigh parcels to be shipped, and feed the measured weight into a web-based shipping management system, even though the system is accessed via respective browser software executing on the respective client computers. *See, e.g., Smith Declaration*, ¶¶11-17; *see also, Specification*, page 31, line 27 – page 32, line 1 ("...the System supports various makes and models of scales. Each scale make and model has a set of features and requirements for which the System must be programmed in order for the System to communicate properly with each particular scale."); *Specification*, page 32, lines 1-5 ("...[t]he System provides an ActiveX control dedicated to communications with peripheral devices configured with client PCs ("Shipping Station ActiveX Control") 607. Contained within the Shipping Station ActiveX Control is a table (the "scale table") 608 containing entries for each supported scale make and model and provides logic to process the communication information for each scale make and model as appropriate."); *Specification*, page 33, lines 1-7 ("... the System uses the information for the particular scale make and model from the scale table 608 of scale makes and models to send a communication query to the particular scale 616. Typically, the communication query information required by a particular scale make and model is a particular set of characters. Each scale make and model recognizes a unique set of characters as a request for a weight. Accordingly, the appropriate set of characters that means a request for weight to a particular scale make and model is stored in the scale table for a particular scale make and model.").

It is respectfully submitted that combining the *Koenck* reference with the *How Computers Work* reference still does not disclose, anticipate, teach of suggest the limitations of the amended Claims of the present application. It is respectfully submitted

that, as explained in the _Smith Declaration_, "...as compared to obtaining information necessary to communicate with devices peripheral to a particular system (such as is disclosed in _How Computers Work_), during the late 1990's, web browser software ((or other software that is adapted to retrieve and render hyper-media content) such as is used to access various embodiments of various Claims of the present application (_see, e.g._, amended Claims 1 and 7) did not provide a web-based, Internet-enabled computer system with detailed information about communicating with devices that were peripheral to the client computer on which the browser software executed." _Smith Declaration_, ¶29; _see also_, _Smith Declaration_, ¶¶24-28; _Smith Declaration_, ¶¶8-12.

It is respectfully submitted, as explained in the _Smith Declaration_, that, "... as compared to being able to directly access detailed information about communicating with devices peripheral to client computers (such as is disclosed in _How Computers Work_), a web-based, Internet-enabled computer system is, without some other means, isolated from information about communicating with devices peripheral to client computers." _Smith Declaration_, ¶30; _see also_, _Smith Declaration_, ¶¶8-12.

Further, it is respectfully submitted, as explained in the _Smith Declaration_, that, "... _How Computers Work_ does not address, describe, or provide any information about, how a web-based, Internet-enabled computer system can obtain information about devices that are peripheral to client computers that access the computer system using browser software." _Smith Declaration_, ¶31.

Accordingly, it is respectfully submitted that there is no disclosure in _How Computers Work_, even if considered in combination with the other references of record, of a computer system that is programmed to, among other things, "... send a first set of executable computer program instructions ... to [a] remote user client computer device ..." or "...determine, according to the first digital scale configuration input, an at least one weight measurement instruction for instructing the first digital scale to measure the first weight of the first parcel ..." as recited by amended Claim 1.

Further still, it is respectfully submitted that combining _Underwood_ with the other references of record still does not disclose, anticipate, teach of suggest the limitations of the amended Claims of the present application.

In the _Office Action_, the Examiner concluded that "[b]ased on the teaching of Underwood, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Koenck communication system to incorporate a web-based architecture (includes browser software) in order to improve security between component resources of the system." _Office Action_, p. 5, ¶4.

However, as compared to security issues on which the _Office Action_ bases its reliance on _Underwood_, it is respectfully submitted that the rejected Claims of the present application are directed to communicating with devices peripheral to client computers that access the web-based shipping management system. _See also_, _Smith Declaration_, ¶34. It is respectfully submitted that _Underwood_ does not address, describe, or provide any disclosure regarding resolving the need to communicate with devices peripheral to client computers that access a web-based, Internet-enabled computer system using a web browser or other software for retrieving or rendering hyper-media content. _See also_, _Smith Declaration_, ¶35.

Accordingly, it is respectfully submitted that there is no disclosure in _Underwood_, even if considered in combination with the other references of record, of a computer system that is programmed to, among other things, "... send a first set of executable computer program instructions ..: to [a] remote user client computer device ..." or "...determine, according to the first digital scale configuration input, an at least one weight measurement instruction for instructing the first digital scale to measure the first weight of the first parcel ..." as recited by amended Claim 1.

Yet further, it is respectfully asserted that the cited references do not disclose, anticipate, teach or suggest all of the limitations of, for example, amended Claim 1, which is directed to a shipping management computer system that is programmed to, among other things:

receive a first digital scale configuration input from a first user, via a first remote user client computer device of a plurality of remote client computer devices, wherein said first digital scale configuration input corresponds to a first digital scale configured with the first remote user client computer device, wherein the first digital scale configuration input comprises at least one item of scale configuration information that is selected from a group consisting of: (A) a make of the first digital scale, (B) a model of the first digital scale, and (C) a type of port through which the first digital scale communicates with the first remote user client computer device, and wherein each remote user client computer device of the plurality of remote user client computer devices accesses the shipping management computer system using browser software installed on the respective remote user client computer device over a communications network;

It is respectfully asserted, for example, that there is no disclosure, teaching or suggestion in the cited references of "...receiv[ing] a first digital scale configuration input from a first user ..." as recited in Claim 1. Rather, as compared to "...receiv[ing] a first digital scale configuration input from a first user ..." as recited in Claim 1, the Office Action states that "...inherently, in 'an assigned device'[,] the system *has* identification information including make and model because the system needs to know the correct protocols [about] that ... device." *Office Action*, page 3, paragraph 1 (emphasis added).

Further, as compared to "...receiv[ing] a first digital scale configuration input *from a first user* ..." as recited in Claim 1, the Office Action states that "[r]eceiving configuration data and exchanging other communication data *from a peripheral piece of equipment* is how computer systems work and is therefore inherent in the Koenck computer system. See step #8 p. 215 of "How Computers Work" for evidence." *Office Action*, page 3, paragraph 2.

As compared to "[r]eceiving configuration data and exchanging other communication data *from a peripheral piece of equipment* ..." as reasoned in the Office Action, it is respectfully submitted that, as explained in the *Smith Declaration*, "... a web-based, Internet-enabled computer system is, without some other means, isolated from information about communicating with devices peripheral to client computers." *Smith Declaration*, ¶30.

Accordingly, it is respectfully submitted that there is no disclosure in any of the references of record, of a computer system that is programmed to, among other things,

"...receive a first digital scale configuration input from a first user, via a first remote user client computer device of a plurality of remote client computer devices, wherein said first digital scale configuration input corresponds to a first digital scale configured with the first remote user client computer device, wherein the first digital scale configuration input comprises at least one item of scale configuration information that is selected from a group consisting of: (A) a make of the first digital scale, (B) a model of the first digital scale, and (C) a type of port through which the first digital scale communicates with the first remote user client computer device ..." as recited by amended Claim 1.

For reasons similar to those described above with respect to amended independent Claim 1, it is respectfully asserted that the cited references do not anticipate, disclose, teach or suggest, e.g., the limitations of amended Claim 7 of "...sending a first set of executable computer program instructions to the first remote user computer device ...", or "...determining an at least one weight measurement instruction for instructing the digital scale to measure weight according to the configuration input ...", or "...sending the at least one weight measurement instruction to the first digital scale to instruct the digital scale to measure the weight of the parcel ..." "...receiving configuration input from a first user ... compris[ing]: (A) a make of a digital scale configured with the first remote user client computer device, (B) a model of the digital scale, and (C) a type of port through which the digital scale communicates with the first remote user client computer device ...".

For reasons similar to those described above with respect to amended independent Claims 1 and 7, it is respectfully asserted that the cited references do not anticipate, disclose, teach or suggest, e.g., the limitations of amended Claim 13 to "...send, according to information about the particular make and model of the digital scale, via the set of browser software, a first set of executable computer instructions to the particular remote user client computer device to: ..."

> (1) determine an at least one weight measurement instruction for instructing the digital scale to measure a weight of a parcel;
> (2) send the weight measurement instruction to the digital scale;
> (3) receive the weight of the particular parcel as measured by the digital scale; and

(4) communicate the weight of the particular parcel to the shipping management computer system.

For all of the foregoing reasons, it is therefore respectfully submitted that amended independent Claims 1, 7 and 13 of the present application, and therefore Claims 5, 8-11, and 14-17 that are dependent on amended Claims 1, 7 and 13, respectively, are patentable over the cited references and are therefore in condition for allowance.

CONCLUSION

In view of the foregoing amendments, and for the foregoing reasons and authorities, it is respectfully asserted that the invention disclosed and claimed in the present application, as amended, is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, reconsideration and allowance of the application as amended herewith are respectfully requested.

Respectfully submitted,

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